

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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IN THE MATTER OF THE REQUEST :  
FOR AGENCY ACTION OF SOUTHERN :  
UTAH WILDERNESS ALLIANCE, AND :  
UTAH CHAPTER OF THE SIERRA :  
CLUB, PETITIONERS, V. DIVISION OF :  
OIL, GAS AND MINING, RESPONDENT :  
– REQUEST TO APPEAL THE DECISION :  
OF THE DIVISION OF OIL, GAS AND :  
MINING APPROVING THE :  
APPLICATION OF EARTH ENERGY :  
RESOURCES TO CONDUCT TAR :  
SANDS MINING AND RECLAMATION :  
OPERATIONS AT THE PR SPRINGS :  
MINE, UINTAH COUNTY AND GRAND :  
COUNTY, UTAH.

NOTICE OF HEARING

Docket No. 2010-009  
Cause No. M0470090

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING  
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining (“Board”), State of Utah, will conduct a hearing on WEDNESDAY, MARCH 24, 2010, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-8-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. To appeal the decision of the Division of Oil, Gas and Mining approving the application of Earth Energy Resources to conduct tar sands mining and reclamation operations at the PR Springs Mine located in portions of Sections 35 and 36, Township 15 South, Range 23 East, and Sections 31 and 32, Township 15.5 South, Range 24 East, Uintah County and Grand County, Utah, and,
2. Providing such other relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.

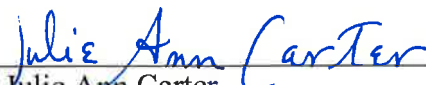
Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 25th day of February, 2010.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
Douglas E. Johnson, Chairman

  
\_\_\_\_\_  
/s/ Julie Ann Carter  
Secretary to the Board  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5277

## CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2010-009, Cause No. M047090 to be mailed with postage prepaid, this 1st day of March, 2010, to the following:

Joro Walker  
Charles R. Dubuc  
Western Resource Advocates  
Attorney for Petitioners  
150 South 600 East, Ste 2A  
Salt Lake City, UT 84102

Michael S. Johnson  
Megan DePaulis  
Assistant Attorneys General  
Utah Board of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
**[Via Email]**

Steven F. Alder  
Fred Donaldson  
Assistant Attorneys General  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
**[Via Email]**

Barclay Cuthbert  
Earth Energy Resources  
6<sup>th</sup> Avenue SW Suite #740 404  
Calgary, Alberta T2P OR9  
Canada

A. John Davis  
Holme Roberts & Owen, LLP  
299 South Main Ste 1800  
Salt Lake City, UT 84111

A handwritten signature in blue ink that reads "Julie Ann Carter". The signature is written in a cursive style and is positioned above a horizontal line.

**CERTIFICATE OF PUBLISHED NOTICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2010-009, Cause No. M0470090 to be PUBLISHED in the following newspapers on the following days:

March 7, 2010:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

March 2, 2010:

Uintah Basin Standard, a newspaper of general circulation in Dagget, and Uintah Counties.

March 4, 2010:

Times-Independent, a newspaper of general circulation in Emery, Grand, and San Juan Counties.

A handwritten signature in blue ink that reads "Julie Ann Carter". The signature is written in a cursive style and is positioned above a horizontal line.